

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America)

v.)

KEITH J. BLEAU)

Case No. 1:17-MJ-225-DJS)

Defendant(s)

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAY 17 2017

LAWRENCE K. BAERMAN, CLERK
ALBANY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

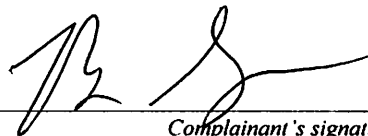
On or about the date(s) of May 16, 2012 and May 16, 2017 in the county of Rensselaer in the
Northern District of New York, the defendant(s) violated:

Code Section

Offense Description

Count One: 18 U.S.C. 2252A(a)(2)
Count Two: 18 U.S.C. 2252A(a)(5)
(B)Receipt of Child Pornography
Possession of Child Pornography

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Brian Seymour

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/17/2017City and state: Albany, New York

Judge's signature

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Brian Seymour, having been first duly sworn, do hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since September 2007. I am assigned to the Albany Division, Albany, NY, and previously worked in the Buffalo Division. I have investigated a variety of violent crimes, including in the areas of child exploitation, counter terrorism and drug-overdose deaths. I am currently investigating violations of federal crimes concerning child pornography and the sexual exploitation of children. I have gained experience regarding such crimes through training in seminars, classes, and everyday work related to conducting these types of investigations.

2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7)—that is, I am an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1). As an FBI Special Agent, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including offenses related to the sexual exploitation of minors, specifically those involving the exploitation of a minor for sexual purposes in violation of Title 18, United States Code, Section 2251(a).

3. I make this affidavit in support of a criminal complaint charging KEITH J. BLEAU, hereinafter BLEAU, with knowingly receiving child pornography using a means and facility of interstate and foreign commerce, and in and affecting such commerce, in violation of Title 18 United States Code, Section 2252A(a)(2)(A); and knowingly possessing child pornography that has been transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18

United States Code, Section 2252A(a)(5)(B).

4. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officers, and on my experience and training as a Special Agent of the FBI. As this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that BLEAU has violated Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(a)(5)(B).

Details of the Investigation

5. Beginning in about November 2016, FBI Task Force Officer (TFO) Christopher Smith, acting in an undercover capacity, accessed the Internet and the BitTorrent network.¹ TFO Smith was looking for other BitTorrent users who were making suspected child pornography files available for sharing over the network. Between November 15, 2016 and April 24, 2017, TFO Smith was able to identify a computer using IP address 67.240.49.220 that was making suspected child pornography files available for sharing via the BitTorrent network. During this same time period, TFO Smith was able to successfully download (using a direct download) from the computer using IP address 67.240.49.220 at least six video files, each of which contained child pornography.

6. Subsequent investigation determined that IP address 67.240.49.220 belonged to Time Warner. A subpoena was then issued to Time Warner seeking subscriber information for the customer using IP address 67.240.49.220 during one of the November 2016 undercover downloads made by TFO Smith.

¹ The BitTorrent network is a file sharing network where users of the network can trade, for free, electronic files, to include child pornography files.

7. Time Warner responded to the subpoena and advised that the subscriber for the IP address 67.240.49.220 during the time period in question was R.H.² who lived at 1242 Johnsonville Road, Johnsonville, New York 12094.

8. On the evening of May 16, 2017, I, TFO Smith, and other investigators executed a search warrant at 1242 Johnsonville Road, Johnsonville, New York. Investigators were authorized to search for, and seize, evidence of child pornography trafficking.

9. During the search, investigators encountered KEITH J. BLEAU in a bedroom inside of the residence. BLEAU agreed to be interviewed by TFO Smith and FBI Special Agent Dave Fallon. During the interview, BLEAU was informed that investigators possessed a search warrant and how the warrant was related to computer crimes committed over the Internet and an IP address associated with the residence. BLEAU ultimately stated that he lived at the residence and that he utilized at least one computer to access the Internet and download music and movie files via various file sharing programs.

10. During the same interview BLEAU said that he sometimes viewed pornography online. BLEAU further said that when he went looking online for pornography he would sometimes use the following search terms: “naturism”, “Lolita”, and “pthc”.³ BLEAU also admitted that he was familiar a girl named “Nelia”.⁴ BLEAU eventually admitted that he looked on the Internet for videos with girls no younger than 13 or 14 years old. BLEAU also said that he did not usually delete files that he downloaded from the Internet.

2 The subscriber’s full name is available to the Court upon request. Subsequent investigation has established that R.H. is a roommate of BLEAU’s

3 I know from my training and experience that these search terms are often used to locate child pornography files on the Internet.

4 “Nelia” is a girl, approximately 12-14 years of age, depicted in some of the videos downloaded by TFO Smith from IP address 67.240.49.220.

11. During the interview BLEAU was shown some of the child pornography videos (to include one of the "Nelia" videos) downloaded by TFO Smith from IP address 67.240.49.220. BLEAU admitted to having previously seen "Nelia" in one of her videos.

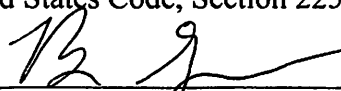
12. During the course of the search, investigators found BLEAU's Toshiba laptop computer bearing s/n 5F0905338. A forensic preview of this computer was conducted. During the forensic preview examination approximately 40 videos containing child pornographic material were identified on the computer.

13. Based upon information and belief, BLEAU's Toshiba computer was not manufactured in the State of New York.

Conclusion

14. Based upon the above information, there is probable cause to believe that KEITH J. BLEAU has received child pornography between about November 15, 2016 and about April 24, 2017; and that BLEAU possessed child pornography on or about May 16, 2017.

WHEREFORE, I respectfully request that the Court issue a complaint charging KEITH J. BLEAU with one count of a violation of Title 18, United States Code, Section 2252A(a)(2)(A), and one count of a violation of Title 18, United States Code, Section 2252A(a)(5)(B).



Brian Seymour
Special Agent
Federal Bureau of Investigations

Sworn to me this 17th
day of May, 2017.



Hon. Daniel J. Stewart
United States Magistrate Judge